

## **REMARKS**

### **I. Introduction**

Claims 50 to 56 and 86 to 100 are pending in the present application. In view of the foregoing amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

### **II. Allowed Claims**

Applicant notes with appreciation the indication that claims 50 to 56, 86 to 97 and 100 are allowed

### **III. Rejection of Claims 98 and 99 Under 35 U.S.C. § 102(e) - Ball et al.**

Claims 98 and 99 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,455,094 ("Ball et al."). Applicant respectfully submits that Ball et al. do not anticipate the present claims as amended herein for at least the following reasons.

The Final Office Action appears to consider Ball et al. to disclose "a preheater configured to preheat [an] in-shell egg." Final Office Action at p. 2. While Applicant does not necessarily agree with the merits of this rejection, to facilitate matters, claims 98 and 99 have been amended herein without prejudice to delete the phrase "a preheater configured to preheat the in-shell egg." In view of the foregoing, it is respectfully submitted that claims 98 and 99 are now in condition for allowance. Withdrawal of this rejection is therefore respectfully requested. Withdrawal of this rejection is therefore respectfully requested.

### **IV. Rejection of Claims 98 and 99 Under 35 U.S.C. § 102(e) - Polster**

Claims 98 and 99 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,187,348 ("Polster"). Applicant respectfully submits that Polster does not anticipate the present claims as amended herein for at least the following reasons.

The Final Office Action appears to consider Polster to disclose "a preheater configured to preheat [an] in-shell egg." Final Office Action at p. 3. While Applicant does not necessarily agree with the merits of this rejection, to facilitate matters, claims 98 and 99 have been amended herein without prejudice to delete the

phrase "a preheater configured to preheat the in-shell egg." In view of the foregoing, it is respectfully submitted that claims 98 and 99 are now in condition for allowance. Withdrawal of this rejection is therefore respectfully requested. Withdrawal of this rejection is therefore respectfully requested.

**V. Conclusion**

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

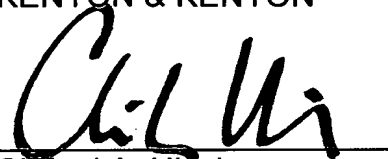
Respectfully submitted,

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